

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 1 — SUBREGION 34**

COMMUNITY HEALTH SERVICES, INC.

And

**AMERICAN FEDERATION OF TEACHERS,
AFT CONNECTICUT, AFL-CIO**

Case No. 01-CA-191633

**UNION'S OPPOSITION TO
RESPONDENT'S MOTION TO BIFURCATE PROCEEDINGS**

1. Introduction

The Union joins the General Counsel's Opposition to the Respondent's Motion to Bifurcate the instant proceedings. The General Counsel's Memorandum was artfully written and well supported under *Total Security Management*, 364 NLRB No. 106 (Aug. 26, 2016). The Union incorporates all of the arguments asserted in the General Counsel's Opposition into its Opposition to the Respondent's attempt to bifurcate and thus delay and elongate these proceedings.

The Respondent suggests in its Motion that failure to bifurcate the proceedings would be inefficient. The opposite is true. Having two trials spread over the course of months or years is a gross misappropriation of not only this Board's limited resources, but also a misallocation of the limited resources of the parties. It would be an absurd result to suggest that two trials would be more efficient than one. Of course, the party with the most to lose should the Respondent's Motion be granted is the worker, Ms.

Barker. Ms. Barker has been deprived of her ability to work and earn an income as a result of the Respondent's violative acts. "*Justice too long delayed is justice denied.*"¹

The Motion must be denied.

Respectfully Submitted,

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Dated October 24, 2017

¹ Dr. Martin Luther King's Letter from a Birmingham Jail quoting US Supreme Court Justice Earl Warren. (1963)

CERTIFICATION

The undersigned hereby certifies that copies of the aforesaid Opposition to Respondent's Motion to Bifurcate were caused to be served on October 24, 2017, in the manner set forth below:

The Honorable Robert A. Giannasi,
Chief Administrative Law Judge
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e-filing on agency website

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